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JUSTICE DEPARTMENT ANNOUNCES SEVENTH GUILTY PLEA IN P2P PIRACY CRACKDOWN

WASHINGTON – A seventh defendant has pleaded guilty in connection with Operation D-Elite, the first criminal enforcement action targeting individuals committing copyright infringement on a peer-to-peer (P2P) network using BitTorrent technology, Assistant Attorney General Alice S. Fisher of the Criminal Division and U.S. Attorney Patrick L. Meehan for the Eastern District of Pennsylvania announced today.

An Duc Do, 25, of Orlando, Fla., pleaded guilty to a two-count felony information charging him with conspiracy to commit criminal copyright infringement and criminal copyright infringement in violation of the Family Entertainment Copyright Act. The plea was entered before U.S. District Judge Legrome D. Davis of the Eastern District of Pennsylvania in Philadelphia.

Do's conviction is the seventh in a series of convictions arising from Operation D-Elite, an ongoing federal crackdown against the illegal distribution of copyrighted movies, software, games and music over P2P networks employing the BitTorrent file sharing technology. Operation D-Elite targeted leading members of a technologically sophisticated P2P network known as Elite Torrents. In its prime, the Elite Torrents network attracted more than 133,000 members and facilitated the illegal distribution of more than 17,800 titles—including movies, software, music and games—that were downloaded over 2 million times. The large unlimited content selection available on the Elite Torrents network often included illegal copies of copyrighted works before they were available in retail stores or movie theaters. Do was an uploader to the Elite Torrents network, responsible for supplying the network with the first copy of a particular movie or other content that was then made available to the entire network for downloading.

On May 25, 2005, federal agents shut down the Elite Torrents network by taking control of its main server. After seizing the server, authorities replaced the existing Web page with a law enforcement message announcing that "This Site Has Been Permanently Shut Down by the Federal Bureau of Investigation (FBI) and U.S. Immigration and Customs Enforcement (ICE)." Within only one week, the law enforcement message was viewed over half a million times.

Do faces a maximum of 10 years in prison and a fine of \$500,000. He is scheduled to be sentenced on Feb. 27, 2008.

Operation D-Elite is a joint investigation by ICE and the FBI as part of the Computer and Technology Crime High Tech Response Team (CATCH), a San Diego task force of specially trained prosecutors and law enforcement officers who focus on high-tech crime. Federal and state member agencies of CATCH include ICE, the FBI, the Department of Justice, the San Diego District Attorney's Office, San Diego Police Department, the San Diego Sheriff's Department, and San Diego County Probation.

This case was prosecuted by Tyler Newby, Trial Attorney for the Computer Crime and Intellectual Property Section of the Criminal Division, and Assistant U.S. Attorney Floyd Miller for the Eastern District of Pennsylvania.

The Motion Picture Association of America provided substantial assistance to this investigation.

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